

**REMARKS**

This Amendment is in response to the final Office Action mailed April 19, 2005. Claims 1-23 were examined in the Office Action. Claims 1-23 were rejected. Claims 1, 6, 11, 19 and 23 have been amended. Claim 22 has been canceled. No new claims have been added. Applicants respectfully request reconsideration and continued examination in view of the above amendments and the following remarks.

**Claim Rejections – 35 USC § 102**

Claims 11-17 and 19 were rejected under 35 U.S.C. 102(e) as being anticipated by Fintel, U.S. Patent No. 6,704,580 (hereinafter Fintel). Applicant respectfully submits that Fintel does not teach or suggest each and every feature recited in amended independent claims 11, 15, and 19.

Amended claims 11, 15, and 19 are drawn to an apparatus and method for providing a gateway between one or more wired telephones and a wireless telephone network and a computer-controlled apparatus for providing a gateway between a wired home telephone network and a wireless telephone network respectively, wherein the gateway is located between the wired home telephone network and the wired network and is operative to electrically connect said wired home telephone network to said wired telephone network. The Office Action acknowledges on pages 8 and 9 that "Fintel does not teach said gateway (or apparatus) located between said wired home telephone network and said wired network" as recited in amended claims 11, 15, and 19. Thus, amended claims 11, 15, and 19 are allowable over Fintel.

Also with regard to claims 11 and 15, the Office Action states that "the terms 'operative' and 'inoperative' can also be referred to as 'being used' and 'not being used'", respectively. Applicant respectfully disagrees and submits that 'being used' and 'not being used' is narrower than the intended scope and does not consider referring to operative and inoperative as "available for use" and "unavailable for use" respectively. Thus, sending a dial tone to the wired telephones is not the same as delivering an electrical current to the wired telephones (for example for lights) in response to detecting an inoperative (unavailable) connection. Therefore, Fintel is also deficient in anticipating a controller operative to determine whether a connection between said one or more wired telephones and said wired telephone network is operative and in response to determining that said connection between said one or more wired telephones and said wired

network is inoperative, cause said current source to deliver an electrical current to said one or more wired telephones compatible with POTS service as recited in amended claim 11.

Claims 12-14 and 16-17

At least because the recitation of claims 12-14 and 16-17 are not taught by Fintel, and claims 12-14 and 16-17 incorporate the features of allowable independent claims, claims 12-14 and 16-17 are also allowable over Fintel.

**Claim Rejections – 35 USC § 103**

Claims 1-9, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fintel in view of Aldermeshian et al., U.S. Patent No. 5,745,850 (hereinafter Aldermeshian et al.) Applicant respectfully submits that Fintel in view of Aldermeshian and does not teach or suggest each and every feature recited in amended independent claims 1, 6, and 19. The proposed combination/modification also teaches away from Applicant's claims and is thus, insufficient to render the claims obvious. MPEP 2141.02.

Claim 1

Amended claim 1 is drawn to an apparatus for providing a gateway between one or more wired telephones and a wireless telephone network wherein each of said one or more telephones are directly connected to a wired home telephone network without modification. The apparatus comprises, among other features, a multi-line display and a keypad utilized for programming said apparatus; wherein said apparatus is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless radio.

In contrast, the Office Action cites column 8, lines 26-31 in support of asserting that Fintel teaches an apparatus having a multi-line display and a keypad utilized for programming said apparatus. The cited section of Fintel discloses a keypad and a display in the cellular phone for entering a phone number. However, Fintel does not disclose such features for programming the docking station 12. Thus, Fintel does not teach or suggest an apparatus for providing a gateway between one or more wired telephones and a wireless telephone network comprising a multi-line display and a keypad utilized for programming said apparatus as recited in amended claim 1.

Still further, the Office Action acknowledges that Fintel is deficient with regard to disclosing said gateway (or apparatus) located between said wired home telephone network and said wired network. The Office Action depends on Aldermeshian to cure the deficiencies of Fintel asserting that a base station 110, disclosed in Aldermeshian, is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless radio. Applicant respectfully disagrees and asserts that the base station 110 is not located between the wired home telephone network and the wired network. The base station 110 is between devices 131 and 132 on the network and thus divides the wired home telephone network. (See Fig. 1, Aldermeshian). Thus, the terminal 131 is directly connected to the base station and is not directly connected to a wired home telephone network without modification as recited in claim 1.

The proposed modification of Fintel in view of Aldermeshian leads away from the operation of Fintel where the wired telephone network 16 may be use for purposes of establishing communications between the wired telephone devices 18. (See Fintel column 2, lines 33-35). Thus, there is no motivation to combine Fintel and Aldermeshian. Even if Fintel was modified with the base station 110 of Aldermeshian, the combination would disclose an apparatus that divides the wired home telephone network. Thus, neither Fintel nor Aldermeshian alone, or in combination teach each feature of Applicant's amended claim 1. Therefore, Applicant's amended claim 1 is allowable over Fintel in view of Aldermeshian at least for these reasons.

#### Claims 6 and 19

Claims 6 and 19 are drawn respectively to a method and apparatus for providing a gateway between one or more wired telephones and a wireless telephone network wherein each of said one or more telephones are directly connected to a wired home telephone network. The apparatus is located between said wired home telephone network and said wired network and is operative to electrically connect said wired home telephone network to said wired telephone network.

As described above, with respect to amended claim 1, the terminal 131 is directly connected to the base station and is not directly connected to a wired home telephone network as recited in claims 6 and 19. The proposed modification of Fintel in view of Aldermeshian leads

away from the operation of Fintel where the wired telephone network 16 may be use for purposes of establishing communications between the wired telephone devices 18. (See Fintel column 2, lines 33-35). Thus, there is no motivation to combine Fintel and Aldermeshian. Therefore, Applicant's amended claims 6 and 19 are also allowable over Fintel in view of Aldermeshian at least for these reasons.

Claims 2-5, 7-9 and 23

At least because the recitation of claims 2-5, 7-9 and 23 are not taught by Fintel in view of Aldermeshian, and claims 2-5, 7-9 and 23 incorporate the features of allowable independent claims, claims 2-5, 7-9 and 23 are also allowable over Fintel in view of Aldermeshian.

Claims 10, 18, 20 and 21

Claims 10, 18, 20 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fintel and Aldermeshian in view of Schornack, U.S. Patent No. 5,946,616 (hereinafter Schornack). With regard to claims 10 and 18, the Office Action acknowledges that Fintel and Aldermeshian does not teach in response to determining that a valid communications link has been reestablished over said wireless telephone network, electrically disconnecting said wired telephone from said wired telephone network but depends on Schornack to compensate for the deficiencies of Fintel and Aldermeshian. Applicant submits that all references must be considered in their entirety, including disclosures that teach away from the claims. As described in previous responses Schornack requires an inversion adapter 130 between telephones that can access a wireless network and the wired home telephone network. The inversion adapter disclosed in Schornack is essential to the disclosure's capabilities. Thus, a reference requiring an inversion adaptor leads away from one or more telephones that are directly connected to a wired home telephone network, as recited in independent claims 6 and 15 and thus claims 10 and 18.

Similarly, the features recited in Applicant's claims 20 and 21 would not be possible without the inversion adapter. Thus, Fintel, Aldermeshian, and Schornack alone, or in combination, are insufficient to render Applicant's claims 10, 18, 20, and 22 obvious.

**CONCLUSION**

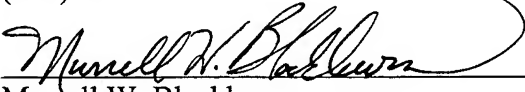
In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution

of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(404) 954-5100

Date: July 19, 2005

  
Murrell W. Blackburn  
Reg. No. 50,881

